

RESOLUTION

NO. 97-02-3

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, PERTAINING TO TRANSPORTATION CONFORMITY, AFFIRMING PARTICIPATION IN A CONSULTATION PROCESS, CONCURRING IN CERTAIN DESIGNATIONS, AND NOMINATING A COUNTY LIAISON FOR FUTURE TRANSPORTATION CONFORMITY RELATED ACTIVITY.

WHEREAS, the Gila County Board of Supervisors (Board) is empowered under Title 49 of the Arizona Revised Statutes to adopt rules and take other measures, for the purpose of controlling the release of air contaminants within the County;

WHEREAS, the Board is empowered under Titles 11 and 28 of the Arizona Revised Statutes to manage certain roadways lying within the unincorporated areas of the County;

WHEREAS, the area adjoining Payson, Arizona including portions lying within Gila County, has previously been designated under the Clean Air Act ("CAA") as "nonattainment" with respect to the national ambient air quality standard for particulate matter (hereafter Payson Nonattainment Area");

WHEREAS, the area adjoining Hayden, Arizona including portions lying within Gila County, has previously been designated under the Clean Air Act ("CAA") as "nonattainment" with respect to the national ambient air quality standard for particulate matter (hereafter "Hayden Nonattainment Area");

WHEREAS, CAA Part D requires that where a nonattainment area exists, the appropriate governmental agencies formulate an implementation plan that will manage emissions to the degree required to prevent future exceedences of the relevant national ambient air quality standards;

WHEREAS, CAA § 176 effectively obligates governmental agencies receiving federal money to conduct their planning and permitting activities in a manner that will not violate the prevailing implementation plan;

WHEREAS, the Environmental Protection Agency has promulgated detailed rules (i.e. 40 CFR Part 51, Subpart T *Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Act* and 40 CFR Part 93, Subpart A *Conformity to State or Federally Implementation Plan of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23, U.S.C. or the Federal Transit Act*) aimed at assuring that transportation-related projects funded wholly or in part with federal money, will conform to the prevailing implementation plan;

WHEREAS, the EPA's Transportation Conformity Rules require that the empowered planning agency for each nonattainment area in question consult with other affected governmental entities, and that:

- They Collectively:
 - designate those transportation routes that will fall subject to the conformity planning processes;
 - define the minimum project size that will allow projects to escape the conformity planning process; and
- The affected local governmental entities designate a liaison, to represent that unit of government in future conformity analyses and communications.

NOW, THEREFORE, FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING, AND FOR THE PURPOSE OF DEFINING GILA COUNTYFS PARTICIPATION IN THE

TRANSPORTATION CONFORMITY PLANNING PROCESS OUTLINED ABOVE, THE GILA COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES TO:

1. Acknowledge that the County has been consulted by the lead agency, namely, the Arizona Department of Transportation ("ADOT"), in the development of the transportation conformity for the Payson Nonattainment Area and the Hayden Nonattainment Area;
2. Concur that State Routes 87 and 260 define the only regionally significant transportation corridors in the Gila county portion of the Payson Nonattainment Area;
3. Concur that State Routes 177, 77, 88 and US 60 define the only regionally significant transportation corridors in the Gila County portion of the Hayden Nonattainment Area;
4. Concur that ADOT shall have original and primary responsibility for transportation conformity planning with respect to the regionally significant transportation corridor defined above;
5. Concur that projects affecting less than one mile of the above-defined regionally significant transportation corridor should be exempted from the transportation conformity planning requirements;
6. Designate the Director of the Division of Engineering services as the County's liaison for future transportation conformity related analyses and consultation.

PASSED AND ADOPTED by the Supervisors of Gila County, Arizona, this 25th day of February, 1997.

GILA COUNTY BOARD OF SUPERVISORS

Cruz Salda, Chairman

ATTEST:

Steven L. Besich
Clerk of the Board

APPROVED AS TO *FORM*:

Mark Gunning
Deputy Gila County Attorney